REMARKS/ARGUMENTS

The rejections presented in the Office Action dated September 17, 2007 (hereinafter Office Action) have been considered but are believed to be improper because certain claim limitations have been ignored. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant maintains the traversal of each of the rejections, each of which depends at least in part upon the teachings of U.S. Publication No. 2002/0141369 by Perras (hereinafter "Perras"), because Perras does not teach or suggest each of the limitations as asserted. More specifically, Perras does not teach transferring at least the tunneling IP address from the first access device to a second access device, as claimed in each of the independent claims. The asserted alignment of the elements of Perras' Fig. 1 clearly shows that the cited paragraph 20 does not teach these limitations. To better illustrate this deficiency the alignment of the teachings of Perras to the claims is shown in the table below, using for example, the limitations of Claim 1.

Applicant's Claim 1	Perras
wireless terminal	mobile station 102
host	terminal node (based on cited paragraph 20)
first access device	first service node (assumed as 112a)
second access device	second service node (assumed as 112b)

Perras' paragraph 20, as acknowledged at page two of the Office Action, teaches that the unique address (asserted as corresponding to the claimed tunneling IP address) is reassigned at the terminal node (asserted as corresponding to the claimed host). There is no teaching or suggestion that the relied-upon unique address is transferred from the first service node 112a to the second service node 112b, as required by the claims and the asserted alignment of Perras' teachings. In contrast to the claimed limitations, Perras' unique address is reassigned within the same entity that originally allocated the unique address. Thus, Perras' reassignment fails to correspond to the claimed transferring since the reassignment occurs within a single entity, and even if the asserted unique address were transferred to another

entity, it would be transferred from the terminal node and not a first access device as claimed.

Moreover, contrary to the assertion at page four of the Office Action, the asserted unique address is not allocated in the first service node 112a (asserted as corresponding to the claimed first access device). Rather, paragraph [0019] (specifically lines 9-10) indicates that the asserted unique address is originally assigned at the terminal node. Thus, the Examiner's alignment of Perras does not correspond to the claimed limitations as it would require that the asserted tunneling IP address be assigned at the host (terminal node) and not in the first access device. For at least these reasons, Perras, which is solely relied upon as teaching these limitations, does not correspond to the claimed limitations. Without a presentation of correspondence to each of the claimed limitations, each of the § 103(a) rejections is improper.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); and moreover, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). *See, e.g.*, MPEP § 2143.03. The Examiner appears to have ignored certain claim limitations such as those directed to transferring at least the tunneling IP address from a first access device to a second access device, which are not taught by either of the cited references. For example, Perras teaches that the asserted unique address is reassigned within the same entity that originally allocated the unique address and makes no mention of transferring the unique address to another device, or specifically, transferring the unique address from the asserted first service node 112a to the asserted second service node 112b. The further relied-upon teachings of Corson are not asserted as teaching, nor have been shown to teach, such limitations. As pointed out in the previous response with all such arguments being incorporated herein, Corson does not teach use of a tunneling IP address allocated by a first access device and transferred to a second access device. Since neither of the asserted references teaches at least these limitations, any combination of Perras and Corson must also fail to teach such limitations thereby rendering

the rejections improper. Applicant accordingly requests that each of the rejections be withdrawn.

In addition, Perras has still not been shown to teach determining a binding in the second access device between the tunneling IP address and a network interface of the second access device, as claimed. The cited teachings at page two refer to a unique address being reassigned at the terminal node and an asserted binding between the unique address and the terminal node. There is no teaching or suggestion of a binding determined by the second service node 112b (asserted second access device). In contrast, the asserted teachings do not mention or relate to the asserted second service node 112b. Without a presentation of correspondence to each of the claimed limitations, the § 103(a) rejections are improper, and Applicant requests that they be withdrawn.

Dependent Claims 2-4, 8, 10, 11, 15, 17, 20, 24 and 25 depend from independent Claims 1, 9, 13, 16 and 19, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the above-discussed combination of Perras and Corson. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims above. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited references. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-4, 8, 10, 11, 15, 17, 20, 24 and 25 are also patentable over the asserted combination of Perras and Corson.

With respect to the § 103(a) rejections of dependent Claims 5-7, 12, 14, 18 and 21-23 based upon the teachings of Perras and Corson and further in view of U.S. Publication No. 2002/0080752 by Johansson *et al.* (hereinafter "Johansson") and U.S. Publication 2004/0022253 by Foschiano *et al.* (hereinafter "Foschiano"), respectively, Applicant

traverses as the asserted references alone, or in combination, do not teach each of the claimed limitations. As discussed above, Perras and Corson fail to at least teach transferring a tunneling IP address from a first access device to a second access device, as claimed. As neither Johansson nor Foschiano has not been shown, and does not appear, to teach at least these limitations, the further reliance on Johansson and Foschiano does not overcome the above-discussed deficiencies in the § 103(a) rejections. Therefore, the rejections of dependent Claims 5-7, 12, 14, 18 and 21-23 are also improper, and Applicant requests that the rejections be withdrawn.

Further, the above discussion of Perras indicates that Perras teaches away from the claimed invention such that a skilled artisan would not be motivated to modify Perras to arrive at the claimed invention. For example, Perras teaches that the endpoint of the connection (terminal node or LNS) must have functions to accommodate the mobility of the mobile station in that it is the terminal node or LNS that assigns and reassigns the unique address of Perras. This is in direct contrast to the claimed invention and the advantages thereof as discussed at paragraph [0009] of the instant Specification. In view of this difference, the Examiner has not articulated reasoning with rational underpinning to support the legal conclusion of obviousness. Applicant accordingly requests that each of the rejections be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.047PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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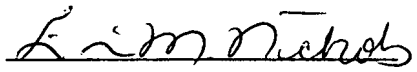
By: 

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